

TRANSMITTAL FOR U.S. PATENT APPLICATION
UNDER 37 CFR §1.53(b)

11324 U.S.PTO
041204

Mail Stop: Patent Application
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Exp. Mail Cert. EV 324643294 US

Sir:

Transmitted herewith for filing is the original patent application of:

Inventors: Randy C. Barnhart et al.

For: *Data Monitoring and Recovery*

Pursuant to 37 C.F.R. § 1.213(a), Applicants respectfully request that the above-identified patent application not be published under 35 U.S.C. § 122(b). Applicants hereby certify that the invention disclosed in the above-identified application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Enclosed are:

1. Specification, Claims and Abstract (32 pages);
2. Declaration and Power of Attorney (3 pages);
3. Formal Drawings (3 pages);
4. An Assignment (3 pages) of the invention to Raytheon Company is attached. A separate cover sheet (2 pages) in compliance with 37 C.F.R. §§ 3.28, .31, including \$40.00 check for recordation fee;
5. Nonpublication Request (1 page)
6. Certificate of Mailing by Express Mail (1 page); and
7. Return Receipt Baker Botts L.L.P. Postcard.

Applicant is Large Entity.

FEE CALCULATION					FEE
	Number		Number Extra	Rate	Basic Fee \$ 770.00
Total Claims	29	- 20	9	X \$18 =	162.00
Independent Claims	4	- 3	1	X \$86 =	86.00
TOTAL FILING FEE =					\$1,018.00

Enclosed is a check in the amount of \$1,018.00 for the filing fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.
Attorneys for Applicants



Kevin J. Meek
Reg. No. 33,738

Date: April 12, 2004

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ATTORNEY DOCKET NO.
074835.0101 (PD 03E043)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Randy C. Barnhart et al.
Filing Date: April 12, 2004
Title: *Data Monitoring and Recovery*

Mail Stop: Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Transmittal Form (2 pages), Patent Application (32 pages), Formal Drawings (3 pages), combined Declaration and Power of Attorney (3 pages), Nonpublication Request (1 page), Assignment (3 pages), Assignment Recordation Form (2 pages), a Baker Botts L.L.P. acknowledgment postcard (1), and checks in the amounts of \$1,018.00 and \$40.00, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 12th day of April 2004 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Willie Jiles

Express Mail Receipt
No. EV 324643294 US

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)		First Named Inventor	Randy C. Barnhart et al.
		Title	Data Monitoring and Recovery
		Atty Docket Number	074835.0101 (PD 03E043)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

BAKER BOTTS L.L.P.
Attorneys for Applicants

April 12, 2004

Date


Signature

Kevin J. Meek

(Typed or printed name)
Reg No. 33,738

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.